

Applicant Details

First Name **Areeb**
 Last Name **Siddiqui**
 Citizenship Status **U. S. Citizen**
 Email Address areeb.siddiqui@yale.edu
 Address

Address
Street
265 Orange St
City
New Haven
State/Territory
Connecticut
Zip
06510
Country
United States

Contact Phone Number **4697772597**

Applicant Education

BA/BS From **University of Texas-Dallas**
 Date of BA/BS **May 2020**
 JD/LLB From **Yale Law School**
https://www.nalplawschools.org/content/OrganizationalSnapshots/OrgSnapshot_225.pdf
 Date of JD/LLB **December 22, 2023**
 Class Rank **School does not rank**
 Law Review/Journal **Yes**
 Journal(s) **Yale Law & Policy Review**
Yale Journal on Regulation
 Moot Court Experience **Yes**
 Moot Court Name(s) **Morris Tyler Moot Court of Appeals**

Bar Admission

Prior Judicial Experience

Judicial
Internships/ **Yes**
Externships
Post-graduate
Judicial Law **No**
Clerk

Specialized Work Experience

Recommenders

Chua, Amy
amy.chua@yale.edu
(203) 432-8715
Post, Robert
robert.post@yale.edu
Markovits, Daniel
daniel.markovits@yale.edu
203-432-2371
Eskridge, William
william.eskridge@yale.edu
203-432-9056

This applicant has certified that all data entered in this profile and any application documents are true and correct.

Areeb Siddiqui

265 Orange St.
New Haven, CT 06510
(469) 777-2597
areeb.siddiqui@yale.edu

The Honorable Maria Araújo Kahn
United States Court of Appeals for the Second Circuit
Connecticut Financial Center
157 Church Street
New Haven, CT 06510-2100

May 19, 2023

Dear Judge Kahn:

I am a 3L at Yale Law School and I write to apply for a clerkship in your chambers for the 2024-25 term or a future term. I am graduating in December 2023 after taking a leave of absence during the Fall 2022 semester to work as a law clerk with the White House Counsel's Office, where I was inspired as a child of immigrants when working on your confirmation. New Haven has been my home for the past three years, and I would love to clerk and establish my legal career in Connecticut. I have accepted a clerkship with Judge Denise Cote on the Southern District of New York for August 2025-26.

I have taken advantage of numerous opportunities to hone in my research and writing skills in law school. As a participant in Yale's Housing Clinic and Free Exercise Clinic, I have written major portions of briefs submitted to the Sixth Circuit, Fifth Circuit, Connecticut Appellate Court, and U.S. Supreme Court. Outside of the classroom, I have deepened my knowledge of civil, criminal, and constitutional issues through my experience as a legal intern with the ACLU National's Program on Freedom of Religion and Belief, a judicial intern in the chambers of Judge Lewis J. Liman, a summer associate with the law firm Arnold & Porter Kaye Scholer LLP, a law clerk with the Department of Justice Civil Rights Division, and a law clerk with the Counsel's Office.

My resume, references list, law school transcript, undergraduate transcript, and writing sample are enclosed. Professors William Eskridge, Amy Chua, Daniel Markovits, and Robert Post are submitting letters of recommendation on my behalf. I would be happy to provide additional information if it would be helpful.

Thank you for your thoughtful consideration.

Sincerely,



Areeb Siddiqui

Areeb Siddiqui

265 Orange St., New Haven, CT 06510 • areeb.siddiqui@yale.edu • 469-777-2597

EDUCATION

Yale Law School, J.D. Candidate Dec. 2023 (*exp.*)
 Activities: Journals: *Yale Law & Policy Review*, Executive Articles Editor, Articles Editor; *Yale Journal on Regulation*, Bulletin Editor
Research Assistant: Professors Daniel Markovits & Robert Post
Teaching Assistant: Professor William Eskridge (Statutory Interpretation in the Regulatory State)
Other: Muslim Law Students' Association, President; Admissions Office Diversity Rep.; Thurman Arnold Antitrust Project; Civil Rights Project; The Appellate Project; Moot Court; YLS Pickleball, Co-founder

The University of Texas at Dallas, B.A. Political Science; B.S. Economics (4.0 GPA, *summa cum laude*) May 2020
 Honors: Eugene McDermott Scholar (flagship full-ride scholarship), Major Honors with Distinction, Phi Kappa Phi
 Activities: Moot Court, Student Government, Adult ESL Tutor, Campaign Fellow, Model UN, Innocence Project
 Honors Thesis: *Barriers to Affordable Housing in Post-apartheid South Africa and Post-Jim Crow America*

EXPERIENCE

Accepted District Court Clerkship: Judge Denise Cote, Southern District of New York (Aug. 2025 – Aug. 2026)

Upcoming Summer: U.S. Senate Committee on the Judiciary, Office of Senator Sheldon Whitehouse, Law Clerk

Yale Law Veterans Legal Services Clinic, Law Student Clinician – New Haven, CT Jan. 2023 – Present
 • Representing Black Veterans Project on the Hill in support of the GI Bill Restoration Act and VA Housing Loan Forever Act
 • Assisting veteran in building medical record of links between substance use disorder and behavioral health conditions to bolster discharge upgrade application before the Army Board for Correction of Military Records

White House Counsel's Office, Law Clerk – Washington, D.C. Sept. 2022 – Dec. 2022
 • Wrote memoranda on confidential matters related to legal implementation of the President's policy priorities
 • Reviewed pending agency rules and legislation for procedural and substantive flaws and counseled White House and agency officials on statutory interpretation of executive authorities available to meet Administration priorities
 • Vetted and wrote reports on persons under consideration for federal judicial and U.S. attorney appointments
 • Evaluated and vetted recommendations on presidential pardons received by the Office of the Deputy Attorney General
 • Researched details and legislative histories of abortion laws across the United States in the wake of *Dobbs v. Jackson*

U.S. Department of Justice Civil Rights Division, Summer Law Clerk – Washington, D.C. July 2022 – Sept. 2022
 • Investigated, interviewed, and drafted declarations for potential aggrieved parties in Americans with Disabilities Act housing discrimination case and Fair Housing Act prosecution of Ashland Housing Authority officials
 • Conducted research on disparate treatment standards under the Equal Credit Opportunity Act and on precedent concerning discovery disputes in the Middle District of Alabama and the Eleventh Circuit
 • Wrote memorandum on Fair Housing Act standing and the applicability of damages to parties beyond the named plaintiff

Arnold & Porter Kaye Scholer LLP, Summer Associate – Washington, D.C. May 2022 – July 2022
 • Drafted cert petition in *Dupree v. Younger* concerning whether a party must reassert in a post-trial motion a purely legal issue rejected at summary judgment to preserve the issue for appellate review (Supreme Court ruled unanimously in client's favor)
 • Wrote memorandum for former State Department Legal Adviser John Bellinger on Foreign Sovereign Immunities Act and international law consequences related to the seizure of Russian assets in the United States for the illegal invasion of Ukraine
 • Researched and contributed to amicus brief in support of affirmative action before the Supreme Court in *SFFA v. Harvard*
 • Contributed research about the prospect of police brutality victims to receive damages against the Denver Police Department

Chambers of Honorable Lewis J. Liman (S.D.N.Y.), Judicial Intern – New York, NY Jan. 2022 – May 2022
 • Wrote, edited, copy edited, and bluebooked judicial opinions alongside Judge Liman and his law clerks

Yale Law Free Exercise Clinic, Law Student Clinician – New Haven, CT Jan. 2022 – May 2022
 • Wrote amicus brief in support of plaintiffs in *Catlett v. Washington*, a qualified immunity case, before the Sixth Circuit

Yale Law Housing Clinic – Fair Housing Track, Law Student Clinician – New Haven, CT Jan. 2021 – May 2022
 • Argued in Connecticut Appellate Court after drafting cross-appellant reply brief in case concerning tenant housing conditions
 • Involved in class action litigation against the Department of Housing and Urban Development in the District of Connecticut
 • Conducted legal research and writing for motion to dismiss proceedings, settlement negotiations, and trial preparation; liaising with plaintiffs; running strategy meetings; conducting discovery; and defending depositions

- Authored and delivered legislative testimony to the Connecticut General Assembly in support of two proposed housing bills
- Wrote and edited amicus briefs in support of the CDC Evictions Moratorium in the Supreme Court and the Fifth Circuit

ACLU National – Program on Freedom of Religion and Belief, *Legal Intern* – Washington, D.C. June 2021 – Aug. 2021

- Wrote memoranda on doctrine concerning religious accommodations in prisons, constitutional doctrines that distinguish between direct and incidental burdens, and proper venue for military death-row inmates to support active ACLU litigation
- Drafted memorandum on *Fazaga v. FBI* to assist ACLU in organizing amicus brief writing for Supreme Court litigation

Community Organisation Resource Centre (CORC), *Intern* – Cape Town, South Africa June 2019 – Aug. 2019

- Led a month-long census in the informal settlement of Langrug (population 4,000) as part of a 3-person leadership team
- Trained 20 community volunteers who conducted 2,500+ surveys on tablets and assisted them in interviewing 1,000+ families

The Brookings Institution, *Research Intern, The Hamilton Project* – Washington, D.C. Sept. 2018 – Dec. 2018

- Contributed research, analyzed text, and created figures through STATA and Excel for a Hamilton Project report on labor market considerations for national wage subsidy and job guarantee proposals

Federal Reserve Bank of Dallas, *Community Development Intern* – Dallas, TX June 2017 – Dec. 2017

- Co-authored Federal Reserve's publication on the 40th anniversary of the Community Reinvestment Act of 1977
- Interpreted aggregate Equifax Consumer Credit Data for bank card loans, student loans, first-time mortgages, and auto loans

CAMPUS & COMMUNITY ENGAGEMENT

Muslim Law Students' Association (MLSA), *President* Sept. 2020 – May 2022

- Hosted and moderated *The Proceduralization of Muslim Civil Rights at the Supreme Court* with Professors Shirin Sinnar, Ramzi Kassem, and Alexander Reinert; attended by over 125 people, the largest event in Yale MLSA history

Dallas Urban Futures Series (DUFFS), *Co-founder* Jan. 2019 – July 2020

- Co-founded programming series with the Institute for Urban Policy Research at UT Dallas and Dallas community organizers
- Hosted Summit 2019 (350+ attendees), Criminal Justice Summit 2019 (200+ attendees), and Summit 2020 (300+ attendees)

ADDITIONAL INFORMATION

Honors: Undergraduate Moot Court Nationals 2nd Place Orator, Fulbright UK Alternate, Truman Scholar Finalist, Eagle Scout

Hobbies: Mountain Hiking, Camping, Pickleball

Recommenders and References

Recommenders

Professor William Eskridge Jr.

John A. Garver Professor of Jurisprudence
Yale Law School
william.eskridge@yale.edu
(203) 432-9056

Professor Amy Chua

John M. Duff, Jr. Professor of Law
Yale Law School
amy.chua@yale.edu
(203) 668-6682

Professor Daniel Markovits

Guido Calabresi Professor of Law
Yale Law School
daniel.markovits@yale.edu
(202) 432-2371

Professor Robert C. Post

Sterling Professor of Law
Yale Law School
robert.post@yale.edu
(202) 432-4946

References

Judge Lewis J. Liman

Southern District of New York
lewis_liman@nysd.uscourts.gov
(212) 805-0226

Justin Dews

Counsel, King & Spalding LLP
(Former) Associate White House Counsel
jdews@kslaw.com
(848) 468-0297

Professor Michael J. Wishnie

William O. Douglas Clinical Professor of Law
Yale Law School
michael.wishnie@yale.edu
(203) 436-4780

Andrew Tutt

Senior Associate, Appellate & Supreme Court
Arnold & Porter Kaye Scholer LLP
andrew.tutt@arnoldporter.com
(202) 942-5242

YALE LAW SCHOOL

Office of the Registrar

TRANSCRIPT RECORD

YALE UNIVERSITY

Date 30
Issued:Record of: Areeb Ahmed Siddiqui
Issued To: Areeb Siddiqui

Page: 1

Parchment Document ID: TWBOQ97K

Date Entered: Fall 2020

Candidate for: Juris Doctor FEB-2024

SUBJ	NO.	COURSE TITLE	UNITS	GRD	INSTRUCTOR
------	-----	--------------	-------	-----	------------

Fall 2020

LAW	10001	Constitutional Law I Section B	4.00	CR	R. Siegel
LAW	11001	Contracts I Group 4	4.00	CR	D. Markovits
LAW	12001	Procedure I Section B	4.00	CR	J. Suk
LAW	14001	Criminal Law & Admin I Sect A	4.00	CR	D. Kahan
		Term Units	16.00	Cum Units	16.00

Spring 2021

LAW	21040	Business Organizations	4.00	P	M. Myers
LAW	21080	Res. Meth U.S. Legal History	2.00	H	J. Nann
LAW	21432	Democratic Constitutionalism	3.00	H	R. Post, R. Siegel
		Substantial Paper			
LAW	21722	Statutory Interpretation	3.00	H	W. Eskridge
LAW	30115	Housing Clinic: Seminar	2.00	CR	J. Pottenger, R. Tenenbaum, J. Gentes
LAW	30116	Housing Clinic: Fieldwork	2.00	H	J. Pottenger, R. Tenenbaum, J. Gentes
		Term Units	16.00	Cum Units	32.00

Fall 2021

LAW	20038	Federal Indian Law	3.00	H	G. Torres
LAW	20170	Administrative Law	4.00	P	C. Jolls
LAW	20328	Practicum in Consumer Law	3.00	H	D. Markovits
LAW	20530	Advanced Contracts: Seminar	2.00	H	A. Chua
LAW	30150	Adv Housing Clinic: Seminar	1.00	CR	J. Pottenger, J. Gentes, R. Tenenbaum, R. Maldonado
LAW	30151	Adv Housing Clinic: Fieldwork	2.00	H	J. Pottenger, J. Gentes, R. Tenenbaum, R. Maldonado
		Term Units	15.00	Cum Units	47.00

Spring 2022

LAW	21068	Antitrust	4.00	H	G. Priest
LAW	21175	Local Government Law	4.00	P	D. Schleicher
LAW	21464	Theories/Statutory Interpretation	3.00	H	W. Eskridge
LAW	30143	Free Exercise Clinic: Seminar	2.00	H	K. Stith, C. Pagliarella, N. Reaves, M. Helfand
LAW	30144	Free Exercise Clinic: Fieldwork	1.00	H	K. Stith, N. Reaves, C. Pagliarella
LAW	30150	Adv Housing Clinic: Seminar	1.00	CR	J. Gentes, R. Tenenbaum, J. Pottenger, R. Maldonado
LAW	30151	Adv Housing Clinic: Fieldwork	1.00	H	J. Gentes, R. Tenenbaum, J. Pottenger, R. Maldonado
LAW	50100	RdgGrp: Islamic Law	1.00	CR	A. Kronman
		Term Units	17.00	Cum Units	64.00

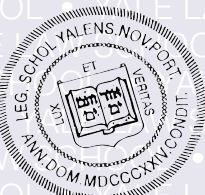
Fall 2022

Leave of Absence

Spring 2023

LAW	21124	Federal and State Courts/FedSys	4.00	H	J. Resnik
LAW	21546	Litigating Civ Rts Policing Impr	3.00	H	B. Azmy
LAW	30123	Veterans Legal Services Clinic	2.00	H	M. Wishnie, M. Brooks
LAW	30124	Veterans Legal Services Fieldwork	2.00	H	M. Wishnie, M. Brooks

***** CONTINUED ON PAGE 2 *****



Heather Abbott
HEATHER ABBOTT, REGISTRAR

Official transcript only if registrar's signature, embossed university seal and date are affixed.

YALE LAW SCHOOL

Office of the Registrar

TRANSCRIPT RECORD

YALE UNIVERSITY

Date Issued: 30-MAY-2023

Record of: Areeb Ahmed Siddiqui
Level: Professional: Law (JD)

Page: 2

SUBJ NO.	COURSE TITLE	UNITS	GRD	INSTRUCTOR
Institution Information continued:				
LAW 30153	Advanced Free Exercise Clinic	1.00	H	K. Stith, N. Reaves, M. Helfand
	Term Units	12.00	Cum Units	76.00

IN PROGRESS WORK

Spring 2023

LAW 21244	Reforming the Court(s)	2.00		C. Rodriguez
	In Progress Units	2.00		

***** END OF TRANSCRIPT *****



Heather Abbott
HEATHER ABBOTT, REGISTRAR

Official transcript only if registrar's signature, embossed university seal and date are affixed.

YALE LAW SCHOOL
P.O. Box 208215
New Haven, CT 06520

EXPLANATION OF GRADING SYSTEM

Beginning September 2015 to date

<u>HONORS</u>	Performance in the course demonstrates superior mastery of the subject.
<u>PASS</u>	Successful performance in the course.
<u>LOW PASS</u>	Performance in the course is below the level that on average is required for the award of a degree.
<u>CREDIT</u>	The course has been completed satisfactorily without further specification of level of performance. All first-term required courses are offered only on a credit-fail basis. Certain advanced courses are offered only on a credit-fail basis.
<u>FAILURE</u>	No credit is given for the course.
<u>CRG</u>	Credit for work completed at another school as part of an approved joint-degree program; counts toward the graded unit requirement.
<u>RC</u>	Requirement completed; indicates J.D. participation in Moot Court or Barrister's Union.
<u>T</u>	Ungraded transfer credit for work done at another law school.
<u>TG</u>	Transfer credit for work completed at another law school; counts toward graded unit requirement.
<u>EXT</u>	In-progress work for which an extension has been approved.
<u>INC</u>	Late work for which no extension has been approved.
<u>NCR</u>	No credit given because of late withdrawal from course or other reason noted in term comments.

Our current grading system does not allow the computation of grade point averages. Individual class rank is not computed. There is no required curve for grades in Yale Law School classes.

Classes matriculating September 1968 through September 1986 must have successfully completed 81 semester hours of credit for the J.D. (Juris Doctor) degree. Classes matriculating September 1987 through September 2004 must have successfully completed 82 credits for the J.D. degree. Classes matriculating September 2005 to date must have successfully completed 83 credits for the J.D. degree. A student must have completed 24 semester hours for the LL.M. (Master of Laws) degree and 27 semester hours for the M.S.L. (Master of Studies in Law) degree. The J.S.D. (Doctor of the Science of Law) degree is awarded upon approval of a thesis that is a substantial contribution to legal scholarship.

<i>For Classes Matriculating 1843 through September 1950</i>	<i>For Classes Matriculating September 1951 through September 1955</i>	<i>For Classes Matriculating September 1956 through September 1958</i>	<i>From September 1959 through June 1968</i>
80 through 100 = Excellent 73 through 79 = Good 65 through 72 = Satisfactory 55 through 64 = Lowest passing grade 0 through 54 = Failure	E = Excellent G = Good S = Satisfactory F = Failure	A = Excellent B = Superior C = Satisfactory D = Lowest passing grade F = Failure	A = Excellent B+ B = Degrees of Superior C+ C = Degrees of Satisfactory C- D = Lowest passing grade F = Failure
To graduate, a student must have attained a weighted grade of at least 65.	To graduate, a student must have attained a weighted grade of at least Satisfactory.	To graduate, a student must have attained a weighted grade of at least D.	To graduate a student must have attained a weighted grade of at least D.
<i>From September 1968 through June 2015</i>			
H = Work done in this course is significantly superior to the average level of performance in the School. P = Successful performance of the work in the course. LP = Work done in the course is below the level of performance which on the average is required for the award of a degree.	CR = Grade which indicates that the course has been completed satisfactorily without further specification of level of performance. All first-term required courses are offered only on a credit-fail basis. Certain advanced courses offered only on a credit-fail basis. F = No credit is given for the course.	RC = Requirement completed; indicates J.D. participation in Moot Court or Barrister's Union. EXT = In-progress work for which an extension has been approved. INC = Late work for which no extension has been approved. NCR = No credit given for late withdrawal from course or for reasons noted in term comments.	CRG = Credit for work completed at another school as part of an approved joint-degree program; counts toward the graded unit requirement. T = Ungraded transfer credit for work done at another law school. TG = Transfer credit for work completed at another law school; counts toward graded unit requirement. *Provisional grade.

May 22, 2023

The Honorable Maria Kahn
Connecticut Financial Center
157 Church Street, 18th Floor
New Haven, CT 06510-2100

Dear Judge Kahn:

I understand that Areeb Siddiqui is applying to your chambers for a judicial clerkship. Areeb is an extremely bright and hardworking, wonderfully affable and self-starting young man, and I am writing to give him my enthusiastic recommendation.

By way of brief background, Areeb is the son of two immigrants from Pakistan but also a proud born-and-raised Texan and an Eagle Scout who loves camping outdoors. For most of his childhood, Areeb and his family lived paycheck to paycheck, hand to mouth. They never ate out, they drove a beat up used car, and every dollar saved went to pay the rent. His parents also made a point of taking Areeb back to Pakistan every other summer, so that he could see with his own eyes the extreme poverty they were fortunate enough to escape from. These early experiences were formative for Areeb, and they instilled in him a reverence for hard work, profound gratitude towards his parents for all the sacrifices they made, a genuine love for America, and a deeply internalized sense of responsibility to make the most of every opportunity. Growing up a Muslim in a largely conservative community taught Areeb to be open-minded, patient, and diplomatic, and he has close friends from one end of the political spectrum to the other – something one sadly almost never sees anymore at the Yale Law School. Areeb graduated near the top of his 1200-person high school class and was admitted to prestigious colleges like Berkeley and Columbia but chose in the end to attend the University of Texas, Dallas, on a full scholarship, in order to save his family money.

I met Areeb last fall, when he was one of roughly 50 students in my Advanced Contracts seminar. Every week, students were required to submit reaction papers based on the assigned readings, which ranged from judicial opinions to actual contracts to articles written from law-and-economics, libertarian, critical theory, and other normative perspectives. Areeb's reaction papers were always smart, interesting, and thoughtful – and turned in on time. I was highly impressed as well by Areeb's comments in class, which were probing and on point, but also generous and full of good will. Areeb's final paper was excellent – carefully researched, well-argued, and clearly written. He received an Honors as his final grade.

On a more personal level, Areeb is delightful – mature, calm, compassionate, good-natured, and quietly confident. He has an immigrant's mentality in the most positive sense. He is absolutely unentitled and low maintenance, and he's happy to work tirelessly, never complaining, in order to produce the best possible work product.

As I hope is clear, I like very highly of Areeb. I am confident that he would make a fabulous judicial clerk, and I very much hope you will consider interviewing him. Please do not hesitate to contact me by email (amy.chua@yale.edu) or on my cell phone (203-668-6682) if you have any questions. I would welcome the opportunity to help in any way.

Thank you very much for your time and attention.

Sincerely yours,

Amy Chua
John M. Duff, Jr. Professor of Law
Yale Law School
amy.chua@yale.edu
(203) 432-8715

Amy Chua - amy.chua@yale.edu - (203) 432-8715

May 19, 2023

The Honorable Maria Kahn
Connecticut Financial Center
157 Church Street, 18th Floor
New Haven, CT 06510-2100

Dear Judge Kahn:

I am writing this letter to support the application of Areeb Siddiqui to be your law clerk. I first got to know Areeb during his second semester when he was a student in a seminar that Reva Siegel and I teach on Democratic Constitutionalism, which inquires into the relationship between political mobilization and the creation of constitutional law. The seminar demands creative and yet rigorous thinking from students. Areeb was an immediate standout. His earnestness, his modesty, and his clarity of mind were all striking, as was his manifest desire to learn. He wrote a long two-draft paper for the seminar showing how conservative religious litigation groups treated Muslim plaintiffs differently in the context of Free Exercise Clause claims than in the context of Establishment Clause claims. The distinction was original and helpful.

I asked Areeb to join a team of students I have working on the *Restatement (Third) of Torts: Defamation and Privacy*, for which I am the co-reporter. If the seminar on Democratic Constitutionalism did not much involve thinking like a lawyer, the work of the Restatement demanded careful, precise, legal research and reasoning. It required work that was absolutely reliable because it had to stand up to the informed and sharp minds on our Advisory Committee. Here again, Areeb performed at an outstanding level. His work on questions obscure and difficult—whether it was about how meaning is determined in the common law of defamation, about the current status of the fair report privilege, or about presumed damages in defamation actions in Commonwealth countries—was reliable, mature, and extremely helpful.

One cannot know Areeb without immediately liking him. His goodwill is so manifest. His empathetic and caring soul shines through. He is an observant Muslim, which he wears lightly, but which I think is central to his identity. Despite his great talents, it has taught Areeb genuine humility, kindness, and tolerance. It brightens up my day to talk with him, and I am quite confident that it will yours also. I highly recommend him.

Sincerely,
Robert C. Post
Sterling Professor of Law

Robert Post - robert.post@yale.edu

May 22, 2023

The Honorable Maria Kahn
Connecticut Financial Center
157 Church Street, 18th Floor
New Haven, CT 06510-2100

Dear Judge Kahn:

Areeb Siddiqui has asked me to write to you in support of his application to clerk in your chambers. I'm delighted to do it. Mr. Siddiqui has a first-class mind and a profound commitment to law and to the public interest. I am confident that he would make an outstanding law clerk.

I know Mr. Siddiqui because he was assigned to my Contracts class during his first term at Law School. The class was a small (15-person) writing-intensive seminar. The class sessions themselves involved intense, often student-driven, discussion; and I read multiple drafts of the students' technical legal writing as well as a final exam. In addition, Mr. Siddiqui has served as a research assistant for a book that I am writing on the limits of economic growth and also enrolled in a practicum that aimed to develop artificial-intelligence-based methods to level the playing field in consumer law. I therefore know Mr. Siddiqui—his intellect, cast of mind, and character—well.

Mr. Siddiqui's central distinguishing feature is an earnest intelligence. He is analytic, clever, and even incisive; but he deploys his capacities to understand rather than merely to criticize, and to build ideas and coalitions rather than to tear things down. He is principled without being judgmental and both committed and creative in putting his principles into practice.

All these capacities were on display in his work towards the practicum in consumer law. The project aspires to build a consumer-side, NLP-based AI that can read consumer contracts and identify troubling terms, in order both to help regulators govern consumer contracting and to create market pressures to improve the quality of the contracts that consumers face. This effort requires wide-ranging theoretical and practical engagements. The group must determine which types of terms both allow sellers to extract surplus from consumers and are amenable to legal or market pressure using the types of tools that the practicum aspires to develop. It must then identify the precise mechanisms by which these terms enable exploitative contracting and the precise means by which those mechanisms may be thwarted. Finally, the practicum must overcome the technological and practical hurdles to building and deploying the consumer aids that it aspires to create.

All stages of this work are driven by the students rather than by me, and Mr. Siddiqui has shown himself to be unusually analytically sharp and enterprising, while at the same time being exceptionally collaborative. Perhaps most notably, he is committed to his ideas and confident in his insights without feeling any need to dominate other practicum participants or even to win internal arguments. He is also equally adept at the most theoretical and the most practical facets of the work, which made him indispensable to the project's success.

Similar virtues suffuse Mr. Siddiqui's other work at Yale Law School. He is, for example, the chair of Yale's Muslim Law Student's Association, and he is working energetically and successfully to raise the profile of Muslim students in the Law School's broader culture and also to intensify the Law School's engagement with Islamic legal thought. This second project is especially far-sighted and important, as Islam's intellectual traditions in law run deep and are profoundly underappreciated in the United States, both among lawyers and in the broader culture. This is a case in which building scholarly and intellectual bridges will, over the long run, build social and political bridges as well.

Finally, Mr. Siddiqui is a delightful person—firm and self-assured, but also unfailingly empathetic and other-regarding.

In sum, I recommend Mr. Siddiqui with enormous enthusiasm. If a further conversation would help you in your deliberations—or, to be frank, help his cause—please just say.

Sincerely,

Professor Daniel Markovits
Guido Calabresi Professor of Law
Yale Law School

Daniel Markovits - daniel.markovits@yale.edu - 203-432-2371

May 19, 2023

The Honorable Maria Kahn
Connecticut Financial Center
157 Church Street, 18th Floor
New Haven, CT 06510-2100

Re: Clerkship Application of Areeb Siddiqui,

Yale Law School Class of 2023

Dear Judge Kahn:

Areeb Siddiqui, a third-year student at the Yale Law School, has asked me to write a letter in connection with his application for a clerkship with your Chambers. I know Areeb very well, as he has been an excellent student in my statutory interpretation classes, one of the best teaching assistants in the history of American legal education, and a White House fellow to top it all off! I can recommend him with the greatest enthusiasm.

As you can see from his transcript and curriculum vitae, Areeb has compiled a very good record of achievement here at the Yale Law School. He is a serious student of the law, as reflected in his grades: 13 Honors and 3 Passes. Two of the Honors came in my classes, which I shall discuss below. Areeb has honed his writing skills as an officer of two law reviews, namely, the Yale Journal on Regulation and the Yale Law & Policy Review.

Significantly, Areeb has been a legal intern with Judge Lewis Liman of the Southern District of New York. I had dinner with Judge Liman last year, in connection with Yale Law's famous Liman Program. He praised Areeb's performance without reservation. I have the impression from Areeb and from the Judge that Areeb has served as a quasi-clerk: in other words, he has not done routine internish activities as much as memo-writing and working on judicial opinions and the like. In any event, you might call Judge Liman and see what he has to say.

In my view, Areeb's biggest contribution to the intellectual life of the Yale Law School has arisen from his involvement in and now presidency of the Muslim Law Students Association. As I recall, Areeb was one of only two Muslims in the Class of 2023 (and he tells me he was the only religiously observant Muslim). I cannot imagine how alone he must have felt, but he is a happy and grounded fellow—and the study of law has given him opportunities to speak out.

The Supreme Court's decision in *Ashcroft v. Iqbal* has become a Civil Procedure staple because the Court reset pleading requirements, with strong consequences for Rule 12(b)(6). Most law professors focus on *Iqbal*'s implications for Rules 8 and 12(b)(6) and, sometimes, on its implications for civil liberties (I include that when I teach Procedure). Areeb saw that the case involved a Pakistani immigrant who was illegally detained and beaten and then deported to Pakistan, without factual or legal basis. Areeb appreciated the procedural issues but also could imagine his father as the plaintiff. Like Javaid *Iqbal*, his father was a Pakistani man who immigrated to America. The only thing separating Areeb's family from *Iqbal*'s is that no one erroneously turned his dad into authorities for terrorism suspicions after 9/11.

So Areeb asked the Civil Procedure professor if he could speak to the class about the Islamophobia that surrounded *Iqbal*'s detention. When Areeb described the situation of Muslim immigrants, he was moved to tears, as were many of the students in the class. In my view, there is something to Areeb's point that the lack of Muslims in elite legal spaces hurt their chances to be received by the law fairly. In the Spring Term 2021, Areeb assembled and moderated a panel (including advocates for *Iqbal* and others) about the Supreme Court's Proceduralization of Muslim Civil Rights. Over 125 attended, the largest event in MLSA history—and quite a large audience for any event at Yale Law, which is a pretty small place.

This year's first-year class has many more Muslim students, which I think has enriched the law school and populated my courses this year with serious, dedicated, sometimes brilliant students of the law. Like Areeb, most of these students believe that the stakes of the rule of law are pretty high for their families. Areeb himself brings a seriousness as well as intellect to the study of law that owes something to his background.

* * *

On the matter of excellence in the study of law, let me also share my own experiences with Areeb Siddiqui.

I first met Areeb as a first-year student in my course on Statutory Interpretation in the Regulatory State. "Regulatory State" is a first-year preference course at the Yale Law School. For three credits, the course is a ton of work, because it has an ambitious set of goals: to introduce students to the constitutional and institutional framework of the modern regulatory state, as well as a thorough training in statutory interpretation and a baby introduction to administrative law. I hope you would agree that this agenda is essential material for modern lawyering and judging.

Notwithstanding the persistence of COVID, Areeb's Spring 2021 Regulatory State class was intellectually and doctrinally intense. Although the class sessions were on ZOOM, a terrible experience for the law students, I organized the class better than I had done the previous semester. For example, with the aid of five teaching assistants, I was able to break out the students into smaller chat room groups on a regular basis, and in four classes I spent hours meeting with the students myself in small groups.

William Eskridge - william.eskridge@yale.edu - 203-432-9056

Generally, the students came to class ready to learn and often to debate Supreme Court analyses in cases like *Sweet Home*, *King v. Burwell*, and of course, the recent debate in *Bostock*. I demanded a ridiculous amount of work from the students for a three-credit course, as we covered tons of doctrine, the leading theories of statutory interpretation and the legislative process, and in-depth discussion of leading cases—including short writing assignments I required of all students.

Areeb impressed me in class discussion and in ZOOM office hours. He also aced the final exam, which is the only basis for a grade in the course. Most of the exam consisted of issue-spotting questions based on the proposed Equality Act, which would have amended the Civil Rights Act of 1964 to bar discrimination because of “sexual orientation” and “gender identity.” Because of COVID-19, this was a shorter exam than I normally give, but overall it was a very hard exam, especially the five issue-spotters (each posing multiple questions arising from the Equality Act, were it enacted to amend and augment the 1964 Act). The Equality Act questions raised tricky issues of text and structure—and Areeb rose to the challenge.

For just one example, the first question posed several substantive issues under the proposed Equality Act: Would it protect employees fired because they are “asexual”? Nonbinary? The text of the Equality Act does not cleanly answer these questions, and students were called upon to reason from its structure and purposes as much as from the text. Writing under strict word limits, Areeb succinctly made a case for coverage on both counts. But the question also asked what the employer’s best defense was—and Areeb nailed that one as well: its workforce was under 15 employees, and so Title VII (as hypothetically amended by the Equality Act) did not cover such small workplaces. (Most students got so caught up in the issues of sexuality posed on the merits that they missed the factual set-up.)

I grade the exams anonymously, but I was not surprised that Areeb had one of the best exam scores: 91 points out of 100. An easy Honors. (The cutoff between Pass and Honors for this hard exam was 88 points. No one nails all the issues on my tricky issue-spotters. I might add that Areeb wrote an excellent essay in response to the last question, which required the students to analyze theoretically and not doctrinally.)

In Spring 2022, I once more taught Statutory Interpretation in the Regulatory State. Because COVID-19 had us on Zoom for the first several weeks, the pedagogical challenge was how to teach a large class (by Yale standards) in a way that engaged students on an individual basis. I taught Areeb’s class with the aid of five teaching assistants, and I followed that approach once more. So I asked Areeb if he would anchor a group of teaching assistants and fine-tune the syllabus (which was, admittedly, far too much reading). Areeb and his colleagues coached me into teaching as good a Zoom course as I am capable of teaching.

One idea from the teaching assistants was to do break-out rooms in some of the classes, where students could talk through a problem with a smaller group, which would then report to the plenary class. Throughout the semester, Areeb led a section of around ten students. He facilitated discussions in those break-out sections, which gave students a sense of engagement and generated excitement about the course. Another idea was to conduct some of the classes with Eskridge break-outs, where I would lecture the entire class for an hour, and then do Zoom sessions with each of the five TA-led small groups; rather than the TAs, I would lead each one, and I was able to call on virtually every single student during these marathon sessions. (The students were on Zoom for 1.5 hours, the regular class time, but I was on Zoom for almost four hours, because I spent 30 minutes with each of the five small groups.)

Areeb worked brilliantly with the other TAs—the best group of TAs I have ever worked with—and with me. His students adored him, because he was thoroughly prepared, pressed the students to do analysis that could be cogent to a reluctant audience, and treated everyone with respect as well as seriousness. Areeb was a model of collegiality. But he was also so well-organized that he helped the students achieve a level of understanding the material and participation in class that would not have been possible under the conventional format. (After week three, by the way, we returned to an in-person experience—but we had a large classroom to allow social distancing, and everyone wore masks, so the educational experience needed the many talents Areeb brought to the table.)

In the same semester, Spring 2022, Areeb was a student in my seminar on Theories of Statutory Interpretation. Almost every week, the seminar students read a lengthy article or a book on statutory interpretation, and then we talked about the article or book for two hours, usually with the author as our guest, via Zoom. (The class met in person after week three, but the guests came to us through Zoom, which worked remarkably well.) We read Ronald Dworkin, *Law’s Empire* (1986), as well as Antonin Scalia & Brian Garner’s *Reading Law* (2013); Anita Krishnakumar’s draft article on the common law statutory interpretation (with Krishnakumar as our guest); Victoria Nourse’s draft article on the flourishing of consequentialist arguments in text-based Supreme Court opinions (with Nourse as our guest); Kevin Tobia and Brian Slocum’s draft article deploying empirical techniques to figure out how “ordinary people” do “ordinary meaning” (with Tobia and Slocum as our guests); Farah Peterson’s article on the statutory work of Chancellor Kent and her recent Yale Law Journal article on interpretation (with Peterson as our guest); Jesse Cross and Abbe Gluck’s new article arguing that judges need to know more about the operation of Congress (with Gluck and Cross as our guests); and several other academic papers/articles for the two hour seminar.

Most weeks, therefore, I conducted the class as a faculty workshop: the author presented his or her work; based on feedback memos written by half the class and circulated to the author, I designated one or two students to ask the first question or two; and I kept a queue of student questions, to which the author would respond (and occasionally I would interject friendly points or comments). The seminar was highly collegial—and was the best seminar I had ever taught. Several guest professors remarked that they received better comments from my seminar students than they had received at faculty workshops in law schools like Stanford and Fordham. (I presented a paper on “Reliance Interests in Constitutional and Statutory Interpretation.” My session with the Yale students was more helpful, because of greater critical engagement, than was my faculty workshop with the Yale faculty.)

William Eskridge - william.eskridge@yale.edu - 203-432-9056

Areeb wrote four excellent response papers for four of the workshop presentations. For three Credits, the students could write seminar papers, and Areeb secured three Credits with a grade of Honors for his excellent paper, "What Does RFRA Do? Legislative History Insight into America's Chief Religious Liberty Law." Areeb's project was to mine the legislative history of RFRA to figure out whether Congress "intended" to codify the pre-Smith v. Employment Division free exercise jurisprudence in a way that ratified and treated as controlling all of the Supreme Court's pre-1990 cases. Areeb focused on *Bowen v. Roy* 476 U.S. 693 (1986) (allowing the federal government to ignore tribal faith traditions in its use of federal law); *Lyng v. Northwest Indian Cemetery Protective Association* 485 U.S. 439 (1988) (similar); *O'Lone v. Estate of Shabazz*, 482 U.S. 342 (1987) (allowing prisons to prevent Muslim prisoners from attending mandatory Friday prayers). In the last case, the Court explicitly rejected the *Sherbert/Yoder* strict scrutiny in favor of a deferential approach whereby "prison regulations alleged to infringe constitutional rights are judged under a 'reasonableness' test less restrictive than that ordinarily applied to alleged infringements of fundamental constitutional rights." *Id.* at 349.

Fairly unmindful of legislative materials these days, the Supreme Court has followed an unsteady path when interpreting RFRA, and I for one found Areeb's dive into the legislative history most illuminating—even though he concluded that "there is no clear-cut, comprehensive answer as to what is the state of post-Sherbert/Yoder, pre-Smith case law." But Areeb demonstrates that the legislative deliberations reveal support for the Court's decisions in *Bowen* and *Lyng* to remain solid precedent under RFRA—but not for O'Lone's prison deference regime, which the majority coalition agreed should have given way to the *Sherbert Yoder* compelling interest test. "As a result," Areeb concludes, "it seems that Congress expected courts to apply some pre-Smith case law as valid precedent and completely ignore others when analyzing RFRA claims." (Areeb's evidence of congressional critiques of O'Lone include a rejected floor amendment in the Senate, as well as strong language in the committee reports.) Areeb makes no claim that the current Supreme Court—purportedly "textualist" and inclined to follow its own precedents even when overridden by Congress—would read RFRA to provide more robust protection for faith-based prisoner claims, but his paper reveals the genuine value that legislative materials might have for a democracy-based rather than judiciary-based understanding of a statutory scheme. I really like Areeb's paper—and the least I could do was award it an Honors.

Finally, let me say a few words about Areeb's valuable experience last semester (Fall 2022) as an intern with the White House Counsel. This is a very competitive position, and Areeb gained invaluable experience that I believe gives him another "plus" for his clerkship application.

Consider some of the matters he worked on, and that I have been given permission to discuss:

- ◆ Drafted memoranda on confidential matters related to legal implementation of the President's policy priorities (topics ranged from Jones Act/trade to agency political appointments to White House ethics to environmental litigation).
- ◆ Reviewed pending agency rules and legislation for procedural and substantive flaws and counseled White House and agency officials on statutory interpretation of executive authorities, so that they would best satisfy the rule of law and meet the Administration's priorities. Agency rules reviewed included rules from HUD, HHS, and the EPA, among others.
- ◆ Vetted and wrote detailed analytical reports on persons under consideration for federal judicial (and U.S. attorney) appointments. These reports, upon some edits from the head of the Nominations team, went to the Chief of Staff and senior advisors for their review for President Biden to pick a nominee.
- ◆ Evaluated and vetted recommendations on presidential pardons pursuant to the CARES Act received by the Office of the Deputy Attorney General; these detailed evaluations then went to the Vice President for her approval and then to the President.
- ◆ Researched and wrote about the details and legislative histories of abortion laws being enacted across the United States in the wake of *Dobbs v. Jackson*.
- ◆ Researched and reported on the impact of the proposed DISCLOSE Act on the current status campaign finance laws.

I had dinner with White House Counsel Stuart Delery, an old acquaintance, a few weeks ago—and he praised Areeb's work with enthusiasm and without reservation.

This experience with the legal operation of the executive branch would, I should hope, be icing on a clerkship cake already well-frosted. This law student is smart, knows a lot about the law, and a dedicated scholar and professional. He would bring more experience in the practice of law than almost anyone else you might consider. (In addition to the White House internship, Areeb has worked with the appellate court practice at Arnold & Porter.)

In short, I recommend Areeb for a clerkship without reservation and with considerable enthusiasm. If I can be of further assistance, please email me or call my cell, 917 991 5914.

Very truly yours,

William N. Eskridge, Jr.
John A. Garver Professor of Jurisprudence Yale Law School